

AGENDA
EAGAR UTILITIES BOARD
REGULAR MEETING
SEPTEMBER 12, 2016
12:00 NOON



**NOTICE OF THE REGULAR MEETING OF THE
EAGAR UTILITIES BOARD**

**SEPTEMBER 12, 2016 – 12:00 NOON
22 WEST 2ND STREET
EAGAR, ARIZONA**

PURSUANT TO A.R.S. 38 431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE UTILITIES BOARD OF THE TOWN OF EAGAR AND THE GENERAL PUBLIC THAT THE UTILITIES BOARD WILL HOLD ITS REGULAR MEETING OPEN TO THE PUBLIC ON **MONDAY, SEPTEMBER 12, 2016 BEGINNING AT 12:00 NOON, AT THE EAGAR TOWN HALL LOCATED AT 22 W. 2ND STREET, EAGAR, ARIZONA.**

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. INVOCATION**
- 5. OPEN CALL TO PUBLIC**

ANY CITIZEN DESIRING TO SPEAK ON A MATTER **THAT IS NOT** SCHEDULED ON THE AGENDA MAY DO SO AT THIS TIME. COMMENTS SHALL BE LIMITED TO 3 MINUTES PER PERSON AND SHALL BE ADDRESSED TO THE TOWN COUNCIL AS A WHOLE, AND NOT TO ANY INDIVIDUAL MEMBER. ISSUES RAISED SHALL BE LIMITED TO THOSE WITHIN THE JURISDICTION OF THE TOWN COUNCIL. PURSUANT TO THE ARIZONA OPEN MEETING LAW, THE TOWN COUNCIL CANNOT DISCUSS OR ACT ON ITEMS PRESENTED AT THIS TIME. AT THE CONCLUSION OF THE CALL TO THE PUBLIC, INDIVIDUAL TOWN COUNCIL MEMBERS MAY (1) RESPOND TO CRITICISM MADE BY THOSE WHO HAVE ADDRESSED THE PUBLIC BODY; (2) ASK STAFF TO REVIEW A MATTER AND (3) ASK THAT A MATTER BE PLACED ON A FUTURE AGENDA.

6. REVIEW OF MINUTES OF PREVIOUS MEETING

- A. DISCUSSION AND CONSIDERATION TO APPROVE THE JUNE 1, 2015 MINUTES OF THE UTILITIES BOARD

7. UNFINISHED BUSINESS

8. NEW BUSINESS

- A. DISCUSSION AND CONSIDERATION OF REQUEST FOR AN EXCEPTION TO CONNECT TO TOWN SEWER LINE AS CUSTOMER'S PROPOSED SEWER LINE CANNOT BE ACCOMPLISHED WITH A GRAVITY FEED SYSTEM (MIKE FOX – POSSIBLY TELEPHONICALLY)

9. ADJOURNMENT

IF ANYONE WISHING TO ATTEND THIS MEETING HAS SPECIAL NEEDS DUE TO A DISABILITY, PLEASE CONTACT THE TOWN CLERK AT 928-333-4128 TWENTY-FOUR HOURS PRIOR TO THE MEETING AND ACCOMMODATIONS WILL BE PROVIDED. ANYONE NEEDING INFORMATION ON THE CURRENT MEETING PLEASE CONTACT THE TOWN CLERK AT 928-333-4128

POSTED BY: Eva Wilson DATE: September 8, 2016 TIME: 4:00 P.M.

**MINUTES
EAGAR UTILITIES BOARD
22 W. 2nd Street
June 1, 2015– 12:00 PM**

Town Manager Tami Ryall called the Regular Utilities Board Meeting to order and welcomed those present. Assistant Town Clerk Marion Wiltbank called the roll and said to let the record show that a quorum is present. Tami Ryall led the Pledge of Allegiance and Public Works Director Bruce Ray offered the invocation.

BOARD MEMBERS PRESENT: Tami Ryall, Town Manager
 Patricia Hartman, Citizen Member
 Katie Brady, Finance Manager
 Bruce Ray, Public Works Director

BOARD MEMBERS ABSENT: Mayor Bryce Hamblin, Chair

ITEM #5: OPEN CALL TO THE PUBLIC

None.

ITEM #6: REVIEW OF MINUTES OF PREVIOUS MEETING

A. DISCUSSION AND CONSIDERATION TO APPROVE THE MAY 4, 2015 MINUTES OF THE UTILITIES BOARD

Bruce Ray moved to approve the Minutes of the May 4, 2015 Utilities Board meeting. Katie Brady seconded; all were in favor, motion carried unanimously. 4-0

ITEM #7: UNFINISHED BUSINESS

A. DISCUSSION AND CONSIDERATION TO ENSURE THAT RESIDENTS USING PERSONAL WELLS AS THEIR MAIN WATER SUPPLY HAVE INSTALLED BACKFLOW DEVICES IN COMPLIANCE WITH ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY STANDARDS

The Town has compiled a list of residences with personal wells from the ADEQ website. The challenges to this are like Patricia Hartman who is on the list and there is no well on the property now. A lot of these wells the town is not sure if they are active. On the left side by the names of people that have wells and are hooked up to town water. On the right hand side is names of people who we know have wells and some are and some aren't using town water, but they are not on this list. So the challenge is to find out if the people on this list have a well and if they do are these wells interconnected to the town water system. Because if they are not they don't require a backflow prevention device. They only require a backflow device

if they are connected together with the town. Is it just a well for the garden or is a well for the house that is the challenge to find out.

Tami Ryall directed everyone's attention to the letter in the packet to well owners and asked instead of this letter should the town change the process to start out with "Your property was identified as having a well. Mr. Ray said the town needs to physically identify it, but all the town can do is have the well owners sign a letter saying whether it is connected to the town or not and keep it in a file and then the town is covered.

Katie Brady asked if we had a parcel number for the peoples whose names are on the list that don't have an address, so we could get a physical address. Pat Hartman's Bear Paw didn't have an address, so she gave Bruce her address: mailing and physical.

The Board looked at ordinance code Title 13.28.040: Cross-connection and backflow prevention. The civil violation has been removed. What the Town's recourse would be is to pull the meter.

Finance Director Katie Brady recommends to Council the changes in the ordinance 13.28.040. Patricia Hartman seconded; all were in favor, motion carried unanimously. 4-0

The Board looked at the "Backflow Prevention Device Installation" process. June 18, 2015 is when the letter goes out. Can we adapt that letter to say, "Your property has been identified as having a well on it. You need to have a backflow preventive device or provide the town with a notarized statement or some sort of a signed statement back from them." So modify the letter and have it still go out on June 18th. Then June 18th or the mid part of June of every year a letter will go out requesting the inspection and telling them what they have to do. Then September 16th they would have to have the backflow device installed and Town acceptance. Then another letter on September 17th if they did not comply notifying them again that action is required to prevent removal of their meter. Then in two weeks, October 1st pull meter for those who do not install.

The Board will not bring this item back. The well list will be refined and letters will go out. Bruce said that if the well owners will not allow them on their property then they will just file that.

B. DISCUSSION AND CONSIDERATION OF BACKFLOW INSPECTION PROGRAM TO COMPLY WITH ENVIRONMENTAL REGULATIONS

Bruce Ray said this concerns the backflow devices that are in businesses like Sonic, Arby's Bashas and other wells that are connected to the Town system. The Backflow Prevention Device Inspections:

June 18, 2015	Letter to all who will have to be inspected annually
September 16, 2015	Deadline for submission of results
September 17, 2015	Reminder letter to all who did not submit results notifying them again that action is required to prevent removal of their meter
October 1, 2015	Pull meter for those not complying

In the letter the Town will give them contact information for the five certified backflow tester inspectors who meet ADEQ approval. What we are proposing is that the Town schedule those inspections, because home owners that have a well won't know how to deal with the system. So we will help them and offer it to businesses at the same time. The town has four or five backflow devices that we need to test ourselves before October. That is the plan for moving forward. So to recap Ms Ryall said the Town would schedule two days for the inspectors to come out and do residential and businesses for whoever wants it and then if they want to do it on their own they can do it on their own, as long as they meet the deadline. Once the Town has these in place then the Town will take the initiative for the backflow prevention device inspections. Mr. Ray said that as far as the Town knows only has one well is connected to our system that has a backflow prevention device, and he isn't even sure it is testable. The Town may not have a whole lot this first year. We may pull a lot of meters. The Town may not get through this list very well and the well owners might not be honest with us and give us a letter saying they don't and that is all we can do, as long as the Town has record of it. There is no way you can tell if someone has a well.

Finance Director Katie Brady moved that the Utilities Board validate our time line and letter as presented, with the one change to receiving the initial letter back. Patricia Hartman seconded; all were in favor, motion carried unanimously. 4-0

C. DISCUSSION AND CONSIDERATION TO CHARGE A MINIMUM SEWER FEE WHEN CUSTOMERS ARE NOT USING WATER SERVICE

Town Manager Tami Ryall explained that this issue was if somebody leaves and they have virtually no water usage, they are still being charged the minimum water fee and the minimum sewer fee. While some people leave and just flag their account and that kicks in the \$40.00 fee to turn it back on. They did some background research on how big the probability is, what the financial impacts are. Per Water Billing Supervisor Stephanie Finch's memo there are 202 utility accounts with zero to 2,000 gallons of usage on a monthly basis. The minimum sewer fee is \$29.95 per month. That equates out if the Town was to eliminate the sewer fee to \$6,049.90 per month in lost revenue or \$72,598.90 per year of lost revenue. An argument has been made that if the Town eliminates the minimum sewer fee, that would encourage more people to not flag their account and the Town would still get the minimum sewer fee. Even if the Town took the minimum water fee of \$10.71 per month and subtract that out with the 202 utility accounts that would be \$2,163.42 per month or \$25,961.04 per year. The net difference of doing that would still be a loss of \$46,637.76 per year.

Mrs. Finch spoke with the Town's software provider and this is radically different than the way our system is set up. Right now we bill the sewer according to how many water accounts we have. You turn on your water and your sewer automatically turns on in the system. The argument was 'why are we paying sewer if we are not using any water'. There is no way to differentiate the two. Even if someone is not using our water, we don't know how often they flush the toilet or whatever there is usage there. Councilman Erhart asked us to show him the different numbers. It would take a lot of challenging programming changes without babysitting it monthly where we would have to go in and look at every account and Caselle

might charge us to do that. We get so much free service a year to help us, but that isn't a free service.

Patricia Hartman doesn't see taking it away and the reason she doesn't is because the sewer system to have it available to us for when we want to turn our water back on and flush our toilet, it still has to be there. There is cost for the sewer treatment plant, so the loss of \$72,000 will really hurt the upkeep and maintenance of that system. Mrs. Finch said that Milt Nelson had made the comment of what it cost to do the sewer ponds and what we are charging now our sewer is high, because we don't have a lot of revenue coming through to help us with that department. Mrs. Hartman said it would make the rest of our rates go up, because the sewer still has to be maintained. She is not in favor of wiping the sewer fee out. Mrs. Ryall said that the Town of Eagar is a lot more flexible than some of our neighbors in how we handle sewer. The Town doesn't make the sewer be determined by the amount of water usage. Springerville actually does their sewer based on the amount of water used. Eagar residents just get a flat fee, intended not just to cover the cost of operating the system, but really to pay back for the infrastructure and the up keep. It is far more a function of maintaining the infrastructure. Mrs. Hartman said if you just barely meet your expenses, then you have nothing to put away for your upgrades.

Mrs. Ryall said the direction in passing this year's budget was to take a look at our rate study and we are going to be validating a lot of our sewer rate study. We have been paying off some debt and we want to take a look at our rates. Included in that discussion we can learn what relationship the sewer rate, like our sewer rate is probably being driven by our debt payments,

Ms Brady said that customers do have that option if you don't want to pay a monthly sewer bill because you are out of town for months at a time. Mrs. Hartman said that the reconnect fee should be just a hair more than if you just left it on and paid your monthly fee. You are a resident of this Town and you have to help maintain this town. You can't expect the summer visitors, tourists and all of those other people who live here year round to pick up the slack.

Ms Brady said that Show Low doesn't allow you to turn off your account. You pay minimums whether you are there or not. So if you are a summer person and own a home in Show Low you pay your bill twelve months a year. Mrs. Finch said Tonto Basin is the same way. Ms Brady has a friend who lives in Springerville and in the summer time when she is growing a garden her sewer bill is over \$70 a month, because it is based off of gallons of water used. Ms Brady doesn't feel that the town is being unfair in any way on how we do it. We do give our customers the option in the winter time when they are not here of not paying a bill. The question was, 'I want to leave my water account on, but if I have zero gallons used, I want not to be charged for the sewer.' They didn't mind paying the minimum water; they didn't want to pay any sewer. Mrs. Hartman said the sewer plant doesn't shut down just because you are not here. Bruce Ray said that there is nothing in the code to allow us to do that. Ms Brady said it was a discussion that we were asked to have and see if the Board wanted to change it or do anything. We would talk about hurdles we would have if it was that direction, but it doesn't sound like we are headed that direction. Of those 202 accounts that didn't have usage, we don't know how many of them have wells, do they could be putting all

manner of things in the sewer, but the Town wouldn't know that because they are pumping well water. We don't meter our sewer.

Mr. Ray said that 90% of the time when the summer visitors come back into town it is on a weekend. He has to pay someone time and a half to go out and turn their water on. He thinks we are losing money by allowing them to flag and then come back on. Likes the Show Low idea, but the political arena wouldn't let that happen. What we do is probably most fair right now. Changing anything wouldn't be a benefit to the Town trying to maintain the sewer system for the Town, especially in the utilities.

Ms Brady asked if we should bring to the Board a rate that we think being different what does it really costs us to have somebody to turn on water after hours. So we would have an after hour rate and during working hour rate. Ms Ryall said it would be an after hour surcharge, we are not really raising a fee, it is a surcharge. Bring the after hour surcharge back to the Board in August to look at. Pat Hartman said you don't have quality service if you don't maintain it. Mr. Ray said the crews still have to read the meters, even if they are not here using the water. Ms Ryall said that sometimes you have to buy in to supporting to have it available when you do want to turn it on.

Public Works Director Bruce Ray moved to table this item and bring back the issue of After Hour Surcharge in August. Finance Director Katie Brady seconded; all were in favor, motion carried unanimously. 4-0

ITEM #8: NEW BUSINESS

Town Manager Tami Ryall said there is no new business. The Board will be adding in the future the discussion in August of what we would do with an *after hour surcharge to turn service back on*. It would be beneficial to bring the new budget to the Board to skim through it

ITEM #9: ADJOURNMENT

Finance Director Katie Brady moved to adjourn the meeting [at 12:48 p.m.] Patricia Hartman seconded; all were in favor, motion carried unanimously. 4-0

Mayor Bryce Hamblin, Chairman

6.3975.1

August 30, 2016

Town of Eagar Utility Board

Dear Board members,

We are submitting this letter of request for the property at 512 W. School Bus Rd., to be grandfathered to our existing septic and leach system.

Two years ago we approached the Town of Eagar, about this subject and they sent a crew to our house to see if connecting to the city's sewer system was an option. Their findings were we would not be able to connect, due to lack of grade from our house to the sewer line along School Bus Rd. This year we decided to list our house for sale and went back to the city to see what the process was going to be, to get grandfathered. The city sent another crew to our house and determined that if we would re-plumb the west side of our house and bring the sewer discharge out the front, or southside of our house, we would be able to connect.

We asked Greg Earhart, of GE Plumbing to come to our house to give us a bid to re-plumb the westside of our house, which included two bathrooms and a laundry room, and connect to the city sewer. He called us and said that we would not be able to connect our sewer due to the lack of grade from the house to the sewer line along School Bus Rd. The distance was 127' from our house to the approximate location of the sewer line and with the required grade of 1/8" per foot, that would require the sewer line to be at least 17' deep at the road. He called the city, and could not find out the depth of the sewer line at our location.

I also checked Greg's measurements and found the same result, of not enough grade to connect to the city's sewer unless it is deeper than 17'. I called Bruce Ray with our findings and he suggested we submit a request to be grandfathered to our existing system. Thank you for your consideration for this request, and please contact us if you have any questions.

Respectfully,

Mike & Donette Fox 602-541-4885 PO Box 792 Eagar, AZ. 85925

(Ord. 88-7 (part), 1988; Res. 171 (part), 1983; Res. 85, 1976: prior code § 10-8-8)

13.28.090 - Wasting of water prohibited.

Consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use. All water outlets, including those used in conjunction with hydrants, urinals, water closets, bathtubs and other fixtures, must not be left running for any purpose other than the use for which they were intended. In addition to the penalty provided for code violations, the water supply may be turned off where any such waste occurs.

(Res. 171 (part), 1983: prior code § 10-8-9)

Chapter 13.32 - SEWER SERVICE

Sections:

13.32.010 - Connection to system.

- A. Any new residence or business located within four hundred feet from the property line to a sewer line must be connected to the sewer system. Any residence or business that is sold or exchanged regardless of the amount or consideration paid, after April 1, 2013, must be connected to the sewer system if any property line is located within four hundred feet of a sewer line.
 - 1. Exceptions: The utility board may grant an exception if a residence or business is sold after April 1, 2013, and any property line is within four hundred feet of a sewer line but the septic system is in good operating condition and is less than five years old. Likewise, the utility board may grant an exception if a connection of the residence or business to the sewer line cannot be accomplished with a gravity feed system.
- B. New sewers and connections to the treatment works shall be properly designed and constructed. The new connections shall prohibit inflow sources into the treatment works.
- C. Any waiver from the requirements of this section can be made by appeal to the utility board upon showing a hardship.

(Ord. 2005-4, 2005; Ord. 2003-08 Exh. A, 2003; Ord. 2000-11, 2000: Ord. 91-11 § 2, 1991; Ord. 88-7 (part), 1987; Res. 171 (part), 1983: prior code § 10-7-1)

(Ord. No. 2009-03, Exh. A, 7-21-2009; Ord. No. 2013-03, Exh. A, 5-21-2013)

13.32.020 - Sewer use required—Prohibited deposits.

It shall be unlawful for any person to deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement or other objectionable waste.

(Res. 171 (part), 1983: prior code § 10-7-2)

13.32.030 - Private systems.

- A. Except as provided in this chapter, it is unlawful to construct or maintain within the town any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- B. Where a public sanitary or combined sewer is not available within the town, or in any area under the jurisdiction of the town, the building sewer shall be connected to a private sewage disposal system complying with the provisions and recommendations of the Arizona State Department of Public Health. Such private sewage disposal system shall be constructed, maintained and operated at all times in a sanitary manner.

(Res. 171 (part), 1983: prior code § 10-7-3)

13.32.040 - Permit requirements.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the town.

(Res. 171 (part), 1983: prior code § 10-7-4)

13.32.050 - Prohibited substances designated.**A. Definitions.**

1. "Garbage" means solid wastes from the preparation, cooking and dispensing of food from the handling, storage, and sale of produce.
2. "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.
- 3.